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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/577,467 | 05/24/2000 | Yoshihito Kumamoto | FUJI 17.354 | 5394 |
| 26304 | 7590 | 03/26/2004 | EXAMINER | |
| KATTEN MUCHIN ZAVIS ROSENMAN 575 MADISON AVENUE NEW YORK, NY 10022-2585 | | | WALLACE, SCOTT A | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2671 | 10 |
| DATE MAILED: 03/26/2004 | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/577,467

Applicant(s)

KUMAMOTO ET AL.

Examiner

Scott Wallace

Art Unit

2671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 January 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

This Action is being re-mailed because the previous action sent out 04/23/03 went to the wrong address. A change of address was sent in, but the action went to the previous address.

Response to Arguments

Argument's not persuasive. The applicant argues that the claimed invention teaches a monitoring apparatus that enables control operations relating to the objects to be performed independently by the central monitoring apparatus and the associated local monitoring apparatus as a result of maintaining two independent information lists in the associated local monitoring apparatus. However, the claim language does not claim events being done independently. Smith et al does disclose a system with a server (local monitoring apparatus) which stores error event logs (sets of monitor information) of the workstations which an administrator can view and respond to (column 2 lines 19-35 and lines 62-67 and column 3 lines 1-10 and 35-37 and lines 50-60). These event logs and the actions done are independent.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or
(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

2. Claims 1-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Smith et al., U.S.

Patent No. 5,941,996.

3. As per claim 1, Smith et al. discloses a system for monitoring objects based on monitor information indicative of statuses of the objects (column 2 lines 38-41), comprising: a local monitoring apparatus configured to store therein a first set of the monitor information (column 2 lines 19-26) and a second set of the monitor information (column 2 lines 28-35), to make the first set of the monitor information reflect an operation performed on said local monitoring apparatus (column 3 lines 34-40), and to display the first set of the monitor information on said local monitoring apparatus (column 3 lines 34-40); and a central monitoring apparatus configured to make the second set of the monitor information reflect an operation performed on said central monitoring apparatus through communication with said local monitoring apparatus (column 3 lines 34-40), and to display the second set of the monitor information on said central monitoring apparatus (column 3 lines 34-49).

4. As per claim 2, Smith et al. discloses wherein said central monitoring apparatus is further configured to store therein a summary of the monitor information (column 3 lines 34-38), to make the summary of the monitor information reflect an operation performed on said central monitoring apparatus (34-49), and to display the summary of the monitor information on said central monitoring apparatus (column 3 lines 34-38).

5. As per claim 3, Smith et al. discloses wherein the operation performed in said local monitoring apparatus includes an operation which a user of said local monitoring apparatus performs to confirm contents of the monitor information displayed on the local monitoring apparatus (column 2 lines 28-34), and the operation performed on said central monitoring apparatus includes an operation which a user of said central monitoring apparatus performs to confirm contents of the monitor information displayed on the central monitoring apparatus (column 2 lines 28-34).

6. As per claim 4, Smith et al. discloses wherein said central monitoring apparatus is configured to make the second set of the monitor information reflect an operation performed with respect to the monitor information displayed on the central monitoring apparatus as well as an operation performed with respect

to the summary of the monitor information displayed on the central monitoring apparatus (column 3 lines 34-38), and to make the summary of the monitor information reflect the operation performed with respect to the monitor information displayed on the central monitoring apparatus as well as the operation performed with respect to the summary of the monitor information displayed on the central monitoring apparatus (column 3 lines 34-38).

7. As per claim 5, Smith et al. discloses wherein said local monitoring apparatus is further configured to classify the monitor information into groups, and to give ordinal numbers to items of the monitor information, the numbers being counted within each of the classified groups (column 3 lines 64-67 and column 4 lines 1-6).

8. As per claim 6, Smith et al. discloses wherein said central monitoring apparatus is further configured to allow a threshold severity level to be set and to send the threshold severity level to the local monitoring apparatus, and wherein said local monitoring apparatus is further configured to check whether an item of the monitor information has a severity level higher than the threshold severity level, and to store the item of the monitor information as part of the second set of the monitor information if the item of the monitor information has a severity level higher than the threshold severity level (column 5 lines 8-24).

9. As per claim 7, Smith et al. discloses wherein said local monitoring apparatus is further configured to store therein a first operation history regarding operations performed on said local monitoring apparatus and to store therein a second operation history regarding operations performed on said central monitoring apparatus, and said central monitoring apparatus is further configured to store therein a third operation history regarding the operations performed on said central monitoring apparatus (column 5 lines 8-42).

10. As per claim 8, Smith et al. discloses a monitoring apparatus for monitoring objects based on monitor information indicative of statuses of the objects, comprising:

A memory storage unit which stores therein a first set of the monitor information and a second set of the monitor information (column 2 lines 23-34);

A processing unit which makes the first set of the monitor information reflect an operation performed on said monitoring apparatus, and makes the second set of the monitor information reflect an operation performed on another apparatus connected to said monitoring apparatus via a network (column 3 lines 34-49);

An output unit which locally outputs the first set of the monitor information (column 3 lines 34-49); and

A transmission unit which transmits the second set of the monitor information to said another apparatus via the network (column 3 lines 34-37).

11. As per claim 9, Smith et al. discloses wherein the operation performed on said monitoring apparatus includes an operation which a user performs to confirm contents of the monitor information that is locally output at said monitoring apparatus (column 4 lines 14-20).

12. As per claim 10, Smith et al. discloses wherein the processing unit erases the confirmed contents of the monitor information from the first set of the monitor information stored in said memory storage unit so as to make the first set of the monitor information reflect the operation performed on said monitoring apparatus (column 5 lines 62-65).

13. As per claim 11, Smith et al. discloses a monitoring apparatus for monitoring objects based on monitor information indicative of statuses of the objects, connected to a plurality of monitoring apparatuses each monitoring respective groups of the objects (column 3 lines 34-50), obtaining the monitor information and a summary of the monitor information from each of the monitoring apparatuses (column 3 lines 34-50), outputting the summary of the monitor information collectively for all the objects, and outputting the monitor information separately for each of the groups of the objects (column 3 lines 34-50), comprising:

A memory storage unit which stores therein the summary of the monitor information (column 5 lines 8-42);

And a processing unit which makes the summary of the monitor information, stored in the memory storage unit, reflect an operation performed on said monitoring apparatus, and sends a message to the plurality of monitoring apparatuses such that the plurality of monitoring apparatuses make the monitor information, stored in the plurality of monitoring apparatuses, reflect the operation performed on said monitoring apparatus (column 3 lines 34-50).

14. As per claim 12, Smith et al. discloses wherein the operation performed on said monitoring apparatus includes an operation which a user of said monitoring apparatus performs to confirm contents of the summary of the monitor information that is output at said monitoring apparatus (column 4 lines 14-20).

15. As per claim 13, Smith et al. discloses wherein the processing unit erases the confirmed contents of the summary of the monitor information from the summary of the monitor information stored in said memory storage unit so as to make the summary of the monitor information reflect the operation performed in said monitoring apparatus (column 5 lines 62-65).

Conclusion

16. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Scott Wallace** whose telephone number is **703-605-5163**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Mark Zimmerman**, can be reached at 703-305-9798.

Any response to this action should be mailed to:


Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.


MARK ZIMMERMAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600